

## II. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-5, 11, and 13-29 are pending in the application. Claims 1, 19, and 29 are independent.

Claims 1-5, 11, and 13-29 were rejected as being unpatentable over Rangan, Feinleib, Courtney, Toyama, and Toklu, for the reasons noted at pages 2-13 of the Office Action. Applicants respectfully traverse all art rejections.

The present invention overcomes prior art video tracking problems by forming video linking files which are not embedded in the video content. The video linking files are thus exportable to a media player for playback and identification of objects in the video content. Importantly, the video linking files comprise two separate files: (i) pixel object files and (ii) data object files. The pixel object files identify, by frame and location, where the object is in the captured frame and at least one subsequent frame. The data object file is linked to the pixel object file and includes data corresponding to the selected object. The specification defines data objects as: "...data objects, such as a uniform resource locator, fixed overlay information, a streaming video link, database interaction link or other resource platform (hereinafter "data object"). (See para [0029] of the published application.)

In contrast, none of the art cited in the case (including Rangan, Feinleib, Courtney, Toyama, and Toklu) discloses or suggests such a combination of features. Rangan discloses a table or list comprising pixel values associated with the tracking element. (Col. 7, lines 38-42; and Fig. 4) However, Rangan fails to disclose or suggest a separate data object file linked to a pixel object file. Rangan also fails to disclose or suggest that the linked video files (which must include both the pixel object files and the data object files) are configured to be exported to a media player. As Rangan fails to disclose or suggest any data object file, it also fails to disclose or suggest that such a file is not embedded in the video content.

While the Examiner admits that Rangan does not teach "information not embedded in video content", he points to Feinleib as supplying such a teaching. However, Feinleib teaches that enhancing content is transmitted in the vertical blanking interval of a video signal, which is thus embedded in the video signal. As an alternative, Feinleib teaches that the enhancing content can be stored "on a storage medium at the viewer's home." (Col. 5, lines 40-43). However, Feinleib fails to disclose or suggest how any such locally stored files are to be used in the viewer's home to link to a tracked pixel object in the video content streamed to the home. The enhanced content

could be inserted into the VBI of the streaming video, but not in association with a tracked object. Moreover, Feinleib is completely silent regarding any linked video files comprising pixel object files and data object files which are configured to be exportable to a media player. Lastly, Applicants traverse the purported motivation to combine: "because enhancements to primary content can be timely introduced at desired junctures of the primary content." Respectfully, this has nothing to do with the invention claimed in the subject application. It is not the timing of any enhanced content, but its relation with a selected pixel object (which relation is defined in the present claims as the unembedded, exportable, linked video files comprising separate pixel object files and data object files) which is the breakthrough discovered by the present Applicants. Persons of ordinary skill in this art would not think to combine Rangan with Feinleib to produce the claimed invention, absent impermissible hindsight reconstruction.

The Office Action relies on Courtney to teach 3 FPS capture rate and the clustering of video frames for the pixel object files. While Courtney discloses a capture rate of 3 FPS for a "Test Sequence" of 315 frames, there is nothing in Courtney to suggest that the video content be clustered for the pixel object files. Courtney's 315 frames are a *sample*, not a predetermined cluster. Moreover, the stated motivation to

combine, "...providing more intelligent feedback regarding the occurrence of complex object actions such as inventory theft" has nothing to do with the present invention as described earlier. Again, persons of ordinary skill in this art would not think to combine Rangan with Feinleib and with Courtney to produce the claimed invention, without hindsight reconstruction.

The remaining art of record in the case fails to cure the deficiencies in the art discussed above. Therefore the salient claimed features of the subject application are fully patentable over the cited art.

In view of the above, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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